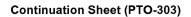
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)
10/584,494	UMEDA ET AL.
Examiner	A (119)
Examiner	Art Unit

	C. SAYALA	1794			
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress		
THE REPLY FILED <u>08 October 2009</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.					
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Apper for Continued Examination (RCE) in compliance with 37 C periods:	replies: (1) an amendment, affidavit eal (with appeal fee) in compliance v	t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request		
 a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire lateral expires the statutory period for reply expires to the st	dvisory Action, or (2) the date set forth i				
Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(b). ONLY CHECK BOX (b) WHEN THE	•			
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amount of thortened statutory period for reply original than three months after the mailing date	of the fee. The appropria nally set in the final Office	ate extension fee e action; or (2) as		
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed w 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the			
AMENDMENTS		21 ((-			
 The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because They raise new issues that would require further consideration and/or search (see NOTE below); They raise the issue of new matter (see NOTE below); 					
(c) They are not deemed to place the application in bet appeal; and/or	•	ducing or simplifying tl	ne issues for		
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: (See 37 CFR 1.116 and 41.33(a)).					
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s):					
 Newly proposed or amended claim(s) would be all non-allowable claim(s). 		imely filed amendmer	nt canceling the		
7. For purposes of appeal, the proposed amendment(s): a) \(\subseteq \) will not be entered, or b) \(\subseteq \) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows:					
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: <u>1-3</u> . Claim(s) withdrawn from consideration: <u>4-5</u> .					
AFFIDAVIT OR OTHER EVIDENCE					
 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 					
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under appea	ıl and/or appellant fail:	s to provide a		
10. ☑ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after er	ntry is below or attach	ed.		
 The request for reconsideration has been considered bu see attached. 	t does NOT place the application in	condition for allowan	ce because:		
12. Note the attached Information <i>Disclosure Statement</i> (s). (PTO/SB/08) Paper No(s)13. Other:					
	/C. SAYALA/				
	Primary Examiner, Art U	nit 1794			



Application No.